

IC 31-16-9

Chapter 9. Method of Payment of Support

IC 31-16-9-0.3

Wage deductions for child support order; employer collection of certain fees

Sec. 0.3. An employer who makes a deduction from an employee's wages, in accordance with an assignment of wages for the payment of child support ordered by the court before September 1, 1985, under IC 31-1-11.5-13 (before its repeal, now codified in this chapter and at IC 31-16-12), may collect a fee of two dollars (\$2) each time the employer makes a deduction. The fee may be deducted by the employer from the employee's wages each time the employer makes the deduction for support.

As added by P.L.220-2011, SEC.500.

IC 31-16-9-1

Clerk or state central collection unit as trustee for remittance

Sec. 1. (a) This subsection applies before January 1, 2007. Upon entering an order for support in:

- (1) a dissolution of marriage decree under IC 31-15-2;
- (2) a legal separation decree under IC 31-15-3; or
- (3) a child support decree under IC 31-16-2;

the court shall require that support payments be made through the clerk of the circuit court as trustee for remittance to the person entitled to receive payments, unless the court has reasonable grounds for providing or approving another method of payment.

(b) Beginning January 1, 2007, except as provided in subsection (c), upon entering an order for support in:

- (1) a dissolution of marriage decree under IC 31-15-2;
- (2) a legal separation decree under IC 31-15-3; or
- (3) a child support decree under IC 31-14-11 or IC 31-16-2;

the court shall require that support payments be made through the clerk of the circuit court or the state central collection unit established by IC 31-33-1.5-8, as trustee for remittance to the person entitled to receive payments, unless the court has reasonable grounds for providing or approving another method of payment.

(c) Beginning January 1, 2007, child support payments that are paid in cash must be paid to a clerk of the circuit court, and all noncash payments must be paid to the state central collection unit established within the child support bureau by IC 31-25-3-1.

As added by P.L.1-1997, SEC.8. Amended by P.L.197-1997, SEC.10; P.L.148-2006, SEC.13; P.L.3-2008, SEC.231; P.L.207-2013, SEC.48.

IC 31-16-9-2

Records; accounting

Sec. 2. (a) The clerk of the circuit court shall maintain records listing the following:

- (1) The amount of the payments.

- (2) The date when payments are required to be made.
- (3) The names and addresses of the parties affected by the order.
- (4) The information required to be submitted to the clerk under sections 3 and 4 of this chapter.

(b) If the clerk elects under IC 5-13-6-4(a) not to follow the accounting and depository procedures required by IC 5-13-6, the clerk shall comply with IC 5-13-6-4(b).

As added by P.L.1-1997, SEC.8.

IC 31-16-9-3

Notice of change of address, federal assistance, and other conditions affecting support order

Sec. 3. (a) A party affected by a support order shall inform the clerk and the state central collection unit established within the child support bureau by IC 31-25-3-1 of any change of address not more than fifteen (15) days after the party's address is changed.

(b) At the time of the issuance or modification of a support order, the parties affected by the order shall inform the clerk of the court and the state central collection unit established within the child support bureau by IC 31-25-3-1 of:

- (1) whether any of the parties is receiving or has received assistance under the:
 - (A) federal Aid to Families with Dependent Children program (42 U.S.C. 601 et seq.); or
 - (B) federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.); and
- (2) the Social Security number of any child affected by the order.

The Social Security number required under subdivision (2) shall be kept confidential and used only to carry out the purposes of the Title IV-D program.

As added by P.L.1-1997, SEC.8. Amended by P.L.213-1999, SEC.11; P.L.148-2006, SEC.14; P.L.1-2007, SEC.192; P.L.3-2008, SEC.232; P.L.1-2009, SEC.158.

IC 31-16-9-4

Duty to furnish Social Security number and employer information

Sec. 4. The custodial parent and the noncustodial parent shall furnish the following information to the clerk of the court and the state central collection unit at the time of the issuance or modification of a child support order:

- (1) The parent's Social Security number.
- (2) The name and address of the parent's employer.

As added by P.L.1-1997, SEC.8. Amended by P.L.138-2001, SEC.11; P.L.148-2006, SEC.15.

IC 31-16-9-5

Duty of noncustodial parent to furnish employer and health insurance information and Social Security number

Sec. 5. In all cases administered by the Title IV-D agency, the court shall order the noncustodial parent to inform the Title IV-D agency and the court of the following:

- (1) The name and address of the noncustodial parent's current employer.
- (2) Access to health insurance.
- (3) Specific health insurance policy information.
- (4) The noncustodial parent's Social Security number.

As added by P.L.1-1997, SEC.8.

IC 31-16-9-6

Accounting of future expenditures

Sec. 6. At the time of entering an order for support or at any subsequent time, the court may order, upon a proper showing of necessity, the spouse or other person receiving support payments to provide an accounting to the court of future expenditures upon such terms and conditions as the court decrees.

As added by P.L.1-1997, SEC.8.